G-75-01- 12

GENERAL ORDINANCE NO. G- 03-75

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain alley in the City of Fort Wayne

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain alley having been filed with the Fort Wayne City Plan Commission and resolution having been duly adopted by the Fort Wayne City Plan Commission on December 16, 1974 following a public hearing thereon, all in accordance with Section 44, Chapter 174 of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1964 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public alley in Fort Wayne, Allen County, Indiana, to-wit:

The east-west alley, extending east from the east right-ofway of Nelson Street, to the west right-of-way of College Street, located south of Wilt Street and north of Jones Street

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

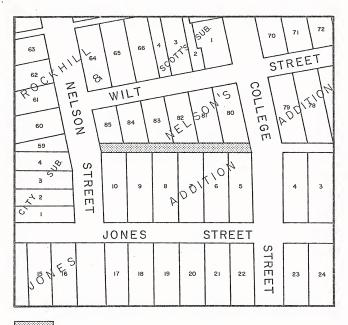
SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Gouncilman Councilman

APPROVED AS TO FORM AND LEGALITY

Read the first time in full and on moti	on by Rhans, seconded by
1/ 4 .	the second time by title and referred
to the Committee on Greg ulsta	
Commission for recommendation) and Public He	aring to be held after due legal notice,
at the Council Chambers, City-County Buildin	g, Fort Wayne, Indiana, on,
theday of	, 197, at
o'clock P.M., E.S.T.	17 12 - 111
Date: 1-14-75	Mellell Telesterano
To . 4 44. 44. 2 4	CITY CLERK
Read the third time in full and on motion	on by grows,
	and duly adopted, placed on its passage.
Passed (Feet) by the following vote:	
	FAINED, ABSENTto-wit:
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SCHMIDT, V.	Berthaman demonstration
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DATE: /-28-75	elin lill telesto
DATE:	CITY CLERK
Passed and adopted by the Common Council	l of the City of Fort Wayne, Indiana,
as (Zoning Map) (General) (Annexation) (Speci	
(Resplicitly) No. M-03-75 on the	28 th day of January, 1975.
ATTEST: (SEA	(IL) James Off
CITY CLERK	PRESIDING OFFICER
Presented by me to the Mayor of the Cit	by of Fort Wayne, Indiana, on the 29th
	975, at the hour of//cook
M.,E.S.T.	
	Alles CLERK Teles les ma
1 4	CITY CLERK
Approved and signed by me this but d	lay of Fromany, 1975,
at the hour of 10.00 o'clock P. M.	
•	MAYOR

Bill No
REPORT OF THE COMMITTEE ON REGULATIONS  We, your Committee on Regulations to whom was referred an Ordinance amen.ding General Ordinance No. G-97 by authorizing the vacation of a
certain alley in the City of Fort Wayne
con ancy in the day of roleings
. * . *
nave had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Do PASS.
Eugene Kraus, Jr Chairman Julyeul & Maus .
John Nuckols - Vice-Chairman John Michaels
Vivian G. Schmidt
Paul M. Burns and Assaum.
Donald J. Schmidt
DATE/28-75 CONCURR IN CHARLES W. WESTERMAN, CITY CLERK



ALLEY TO BE VACATED



December 19, 1974

The Common Council of the City of Fort Wayne City-County Building One Main Street Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution for the vacation of the following:

The east-west alley, extending east from the east right-of-way of Nelson Street, to the west right-of-way of College Street, located south of Wilt Street and north of Jones Street.

Which was approved by the City Plan Commission at its regular meeting held December 16, 1974.

Respectfully submitted,
CITY PLAN COMMISSION

Certified and signed this 19th day of December, 1974.

> Thomas J. Offerle. Secretary

## RESOLUTION

WHEREAS, The Board of Park Commissioners, have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public alley in Allen County, Indiana, to-wit:

The east-west alley, extending east from the east right-of-way of Nelson Street, to the west right-of-way of College Street, located south of Wilt Street and north of Jones Street.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Ind. Ann. Stat.  $\S$  53-744 (Burns 1964 Repl. Ed.); and,

WHERFAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on Monday, December 16, 1974

at 3:00 P.M. (EST), and at such hearing there were no objections of any kind or character which should prevent the vacation of said public street or alley;

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public alley hereinbefore described conforms to the general policy and pattern of development set ou in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public alley hereinbefore described be and the same is hereby approved;

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of streets and alleys in Allen County, Indiana.

STATE	OF	INDIANA	. )	SS
COUNT	O	ALLEN	)	00.

I, James E. Kelley, President of the Fort Wayne City Plan Commission, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held on <a href="Monday, December 16, 1974">Monday, December 16, 1974</a>, and as the same appears of record in the official records of said Plan Commission.

Dated this	16th	day	of	December, ,	1974

FORT WAYNE CITY PLAN COMMISSION

James E. Kelley President TO:

The City Plan Commission City of Fort Wayne, Indiana Board of Public Works City of Fort Wayne, Indiana

The City of Fort Wayne, Indiana, by and through its Board of Park Commissioners, does hereby petition the Plan Commission of the City of Fort Wayne to vacate a portion of the following alley located within the City of Fort Wayne, Indiana, and described as follows:

East-West alley extending east from Nelson to College Street, lying south of Wilt Street and north of Jones Street.

- That no other person, firm, or corporation is interested in or affected by the requested vacation.
- That portion of said alley is not necessary as ingress or egress to any other property whatsoever.
- 3. That the maintenance of said alley is not necessary or advantageous to the growth of the City of Fort Wayne, and that it would be to the best interest of the City and the citizens thereof, as well as the immediately adjoining property owners that said portion of alley be vacated as prayed.

Your Petitioners file this petition pursuant to the authority granted in Burns Indiana Statutes Annotated, Section 53-744, in order to complete the vacation as above described.

WHEREFORE, your Petitioners pray that the portion of the above described alley be vacated according to the provisions of the Indiana Law Pertaining, thereto.

Louis F. Niezer, President Board of Park Commissioners Number assigned by Lave Keller's Office: # 3596 DIGEST SHEET Admn. Appr.\_\_\_\_

TITLE OF ORDINANCE Alley vacation ordinance 12-75-01-12
DEPARTMENT REQUESTING ORDINANCECity Plan Commission
SYNOPSIS OF ORDINANCE Petitioners (Park Board) are requesting the
vacation of the following described alley:
The east-west alley, extending east from the east right-of-way of Nelson Street
to the west right-of-way of College Street, lying south of Wilt Street and
north of Jones Street.
When vacated, this alley will be utilized by the Park
Board for Mini-park. (PLEASE NOTE: Mini-park already existing in portion
of alley)
EFFECT OF NON-PASSAGE Alley will remain open.
MONEY INVOLVED (Direct Costs, Expenditures, Savings)
, 42
ASSIGNED TO COMMITTEE (J.N.) Regulation Il



## CITY OF FORT WAYNE

FORT WAYNE, INDIANA

CHARLES W. WESTERMAN CITY CLERK

February 7, 1975

Miss Helen Libbing
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of February 10 and February 17, 1975, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council of Fort Wayne, Indiana----

Bill No. G-75-01-12 -General Ordinance No. G-03-75 Vacation of a certain alley

Bill No. G-75-01-11 General Ordinance No. G-02-75 Pertaining to filing fees for preliminary & final subdivision plats

Please send us five (5) copies of the Publisher's Affidavit from each newspaper.

Thank you.

Sincerely,

Charles W. Westerman

City Clerk

CWI/ne Encl: 2

Form Prescribed by Sta	te Board of Accounts	120	Gener	al Form No. 99 P (Rev 1967)
Common Council of	Fort Wayne	7.9	To NEWS_SE	NT INEL Dr.
(Governm	ental Unit)	1 3	10BLRDSL	N
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Notice is hereby given that on the 28th day of January, 175, the Common Council of the City of Fort Wayne, Inclina, in a Regular Session did pass the following Bill e	xtra proofs of publication (5	0 cents for each proof	in excess of two)	1,50
to-wit: BILL NO. G-75-01-12 GENERAL ORDINANCE NO. G-03-75	A AMOUNT OF STATE			. 30.58
to-wit:  BILL NO. G-75-01-12  GENERAL ORDINANCE MO. G-03-75 AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain alley in the City of Fort Wayne.	AL AMOUNT OF CLAIM			\$ 23.22
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Public Works of the City of Fort Wayne,	7, 19 75		Title	Clerk
SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof	PU State of Li	BLISHER'S AFFIDAVIT		
Read the third time in full and on motion		EN County ss:		
Councilmon Read the third time in full and on metion by Kross, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote: Aye: Nine — Burns, Hinga, Krous, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Targets.	Personal	ly appeared before me	, a notary public in and ken	for said county and state, the
Stier, Talarica. Nays: None. Date: 1-28-75 CHARLES W WESTERMAN	that	She is	Clerk	of th
Noys: None, Date: 1-28-75 CHARLES W. WESTERMAN Passed, and adopted by the City Clerk Passed, and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance. No. G-03-75 on the 28th day of January, 1975.			NEWS-SENTINEL	ral circulation printed and published
28th day of January, 1975. ATTEST: Charles W. Westerman City Clerk	OPY OF in the Eng	dish language in the city	of FORT WAYNE,	INDIANA
(SEAL) Jomes S. Stler Presiding Officer	in state an	d county aforesaid, and tha	t the printed matter attached b	creto is a true copy, which was dul
of Fort Wayne, Indiana, on the 29th day of January, 1975, at the hour of 11:00 o'clock A.M., E.S.T. CHARLES W. WESTERMAN			two	, the dates of publication being
Approved and signed by me this 6th day of February, 1975, at the hour of 10:00	as follows:			
P.M., E.S.T. IVAN A. LEBAMOFF Mayor I, Charles W. Westerman, Clerk of the	SEE MAN	«/TO-T.///2		2
try of Fort Wayne, Indiana, do hereby cer- tify that the above and foregoing is a full, true and complete copy of General Ordi- nance No. G-03-75 passed by the Common			1. 8	Serken
council on the 28th day of January, 1975, and that said Ordinance was duly signed and approved by the Mayor on the 6th day of February, 1975 and now remains on file	Subscribed	and sworn to before me th	Inth Smer	ebruary 1975
and on record in my office. WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this offi	Vine Comment	ssion expires Octobe	n 25. 1975	otary Public
day of February, 1975. CHARLES W. WESTERMAN CHARLES W. WESTERMAN Clty Clerk	My commi	ssion expires	·±~~9. ±/12	

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Form Prescribed by State Board of Ac	counts	Gene	ral Form No. 99 P (Rev. 196
Common Council of Ft. Wayne (Governmental Unit)	4 <u></u>	To JOURNAL-GA	AZETTE
Allen Cour	nty, Ind.	FORT WAYNE	E, INDIANA
	PUBLISHER'S	CLAIM	
LINE COUNT			
	exceed two actual lines neith	er of which shall total more	
than four solid line — number of equiva	exceed two actual lines, neith s of the type in which the body alent lines	of the advertisement is set)	
Head number of lines			
Body number of lines			98
Tail number of lines			2
			207
Total number of lin	es in notice		101
COMPUTION OF CHARGES			
101lines, 1 colu	ımns wide equals	quivalent lines at	. 29.
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amount)	es containing rate of tabular	work (50 per cent of above	1.
Charge for extra proofs of p	publication (50 cents for each	proof in excess of two)	
TOTAL AMOUNT O	F CLAIM		30.
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DATA FOR COMPUTING COST			
Width of single column 11 e	ms	Size of type 5½ point	
Number of insertions2		Size of quad upon which type	
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Pursuant to the provision and penalties	of Ch. 89, Acts 1967,		
hereby certify that the foregoing account the redits, and that no part of the same has	ant is just and correct, that the	ne amount claimed is legally	due, after allowing all ju
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Date February 17 , 19 75	- 1"	Title	CLERK
	PUBLISHER'S AFF	IDAVIT	
	ALLEN County } ss:		
	Personally appeared before	re me, a notary public in and RVILLA DEWALD	for said county and state, t
	that she is		who, being duly sworn, sa
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	DAILY	newspaper of general circ	culation printed and publish
OPY OF ENT HERE	in the English language in	the city of FORT WAYN	E, INDIANA
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· ·	Subscribed and sworn to h	efore me this 17the of	February 10
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